

111TH CONGRESS
1ST SESSION

H. RES. 440

Amending the Rules of the House of Representatives to strengthen the public disclosure of all earmark requests.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2009

Mr. CASSIDY (for himself and Ms. SPEIER) submitted the following resolution; which was referred to the Committee on Rules, and in addition to the Committee on Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Amending the Rules of the House of Representatives to strengthen the public disclosure of all earmark requests.

1 *Resolved*, That (a) rule XXIII of the Rules of the
2 House of Representatives is amended by redesignating
3 clause 18 as clause 19 and by inserting after clause 17
4 the following:

5 “18. A Member, Delegate, or Resident Commissioner
6 who requests a congressional earmark, a limited tax ben-
7 efit, or a limited tariff benefit shall, within 24 hours after
8 making such request—

1 “(1) post on his or her public website for the
2 remainder of the Congress the following—

3 “(A) the name and address of the intended
4 recipient;

5 “(B) the requested amount (only in the
6 case of congressional earmarks); and

7 “(C) an explanation of the request, includ-
8 ing the purpose, and why it is a valuable use
9 of taxpayer funds;

10 “(2) electronically submit to the committee of
11 subject-matter jurisdiction the webpage address
12 where such information is posted;

13 “(3) identify each request as having been sub-
14 mitted to the committee of subject-matter jurisdic-
15 tion; and

16 “(4) display on the homepage of such website a
17 hypertext link that contains the words ‘Earmarks’,
18 ‘Appropriations Requests’, ‘Limited Tax Benefits’,
19 or ‘Limited Tariff Benefits’ and that directs to such
20 webpage address, and maintain that link for at least
21 30 calendar days after the last such request is made
22 during the Congress.”.

23 (b) The last sentence of clause 16 of rule XXIII of
24 the Rules of the House of Representatives is amended by

1 striking “and clause 17” and inserting “, clause 17, and
2 clause 18”.

3 SEC. 2. Rule XI of the Rules of the House of Rep-
4 resentatives is amended by adding at the end the following
5 new clause:

6 **“Earmark disclosure websites**

7 “(s)(1) Any committee that accepts any request of
8 a Member, Delegate, or Resident Commissioner for a con-
9 gressional earmark, a limited tax benefit, or a limited tar-
10 iff benefit shall maintain a public website with an earmark
11 disclosure webpage that contains the following for each
12 such request—

13 “(A) the bill name;

14 “(B) the name, State, and district of that indi-
15 vidual;

16 “(C) the name and address of the intended re-
17 cipient;

18 “(D) the requested amount (only in the case of
19 congressional earmarks);

20 “(E) a brief description; and

21 “(F) the applicable department or agency of the
22 Government, and the account or program (if pro-
23 vided to the committee in the request);

24 and is in a downloadable format that is searchable and
25 sortable by such characteristics.

1 “(2) Any written statement received by a committee
2 under clause 17(a) of rule XXIII shall be posted on the
3 earmark disclosure webpage of the committee.

4 “(3) The earmark disclosure webpage of a committee
5 shall list the names of any Member, Delegate, and Resi-
6 dent Commissioner who requests a congressional earmark,
7 a limited tax benefit, or a limited tariff benefit and link
8 directly to their webpage addresses referred to in clause
9 18(2) of rule XXIII.

10 “(4) The earmark disclosure webpage of a committee
11 shall post the information required under subparagraphs
12 (1) through (3) within one week of receipt, and shall main-
13 tain that information on that webpage for the remainder
14 of the Congress.

15 “(5) For purposes of this paragraph, the terms ‘con-
16 gressional earmark’, ‘limited tax benefit’, and ‘limited tar-
17 iff benefit’ shall have the meaning given them in clause
18 9 of rule XXI.”.

19 SEC. 3. Clause 9 of rule XXI of the Rules of the
20 House of Representatives is amended by redesignating
21 paragraphs (e), (f), and (g) as paragraphs (f), (g), and
22 (h), respectively, and by inserting after paragraph (d) the
23 following:

24 “(e) It shall not be in order to consider any bill or
25 joint resolution, or an amendment thereto or conference

1 report thereon, that carries a congressional earmark, lim-
2 ited tax benefit, or limited tariff benefit for which a Mem-
3 ber, Delegate, or Resident Commissioner failed to comply
4 with any applicable requirement of clause 18 of rule
5 XXIII.”.

6 SEC. 4. The amendments made by this resolution
7 shall apply to requests for congressional earmarks, limited
8 tax benefits, and limited tariff benefits made after the
9 date this resolution is agreed to.

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